

AGENDA

**BOARD OF COMMISSIONERS
SPECIAL MEETING
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500**

**May 21, 2007
5:30 P.M. (EDT)**

1. INVOCATION

Rev. Scott Storie, Pastor of Highland Christian Church

PLEDGE OF ALLEGIANCE

John Hammond

ROLL CALL

MINUTES

April 23, 2007 Regular Meeting; May 7, 2007 Special Meeting; May 10, 2007 Special Meeting; May 14, 2007 Special Meeting; May 14, 2007 Work Session.

MAYOR'S REPORT

2. CEREMONIAL ITEMS

Background: The Board of Commissioners traditionally recognizes City employees who are retiring or are being promoted within the various City departments. At this meeting, the following individuals will be in attendance:

- | | |
|---------------------|---|
| • Fire Department | Promotion of Jonathan Lawson from Firefighter II to Sergeant |
| • Fire Department | Promotion of Michael J. Billings from Firefighter III to Sergeant |
| • Fire Department | Promotion of Jeffrey A. Brooks from Sergeant to Lieutenant |
| • Fire Department | Promotion of Kevin Benge from Lieutenant to Captain |
| • Fire Department | Retirement of Louis E. McClain, Captain, with 24 years of service |
| • Fire Department | Retirement of Lloyd T. Russell, Sergeant, with 27 years of service |
| • Police Department | Retirement of Thomas H. Columbia, Lieutenant, with 28 years of service |
| • Sewer Department | Retirement of Dan Ray Johnson, Technician III, with 23 years of service |

3. ORDINANCES

3.1 SECOND READING: An Ordinance amending Frankfort Code of Ordinances Chapter 130, Offenses Against Property, Section 130.09.

Purpose: To consider amending the Ordinance regarding burning of materials within the City limits.

Background: The current Ordinance allows for the burning of trash and vegetative materials when burned in a container or when the purpose of the burn is to clear open or vacant land for construction or agricultural purposes. The Fire Department is frequently called out when individuals or entities burn material and it endangers adjacent properties. In addition, this burning often creates a smoke nuisance and citizen complaints. Because the City provides for leaf, wood, debris, and trash pickup and disposal, there is no need for the burning of these materials except when the purpose is to clear open or vacant land for construction or agricultural purposes. Therefore, the proposed amendment is recommended.

This Ordinance had its first reading April 23, 2007.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person

Name: Wallace Possich
Title: Chief
Department: Fire
Phone: 502/875-8511
Email: wpossich@frankfort-ky.gov

3.2 SECOND READING: An Ordinance amending Chapter 72-Parking Regulations of the Frankfort Code of Ordinances.

Purpose: To amend Frankfort Code of Ordinances Chapter 72.12 concerning removal of the bollards from the St. Clair Pedestrian Mall.

Background: Frankfort Code of Ordinances Chapter 72.12 states that the City shall put up the bollards from 11:00 a.m. until 2:00 p.m. Monday through Friday, from March 15 through October 31 annually. Downtown Frankfort, Inc. has requested the bollards be removed to accommodate vehicular traffic during lunch. The street could continue to be closed off as necessary for special events. The bollards have become expensive to maintain.

This ordinance had its first reading April 23, 2007.

Recommendation: Approval

Attachments:

- Ordinance
- Letter from Robbie Carter, DFI
- Memorandum from Parks Director Steve Brooks

Contact Person:

Name: Steve Brooks
Title: Director
Department: Parks and Recreation
Phone: 502/352-2029
Email: Sbrooks@frankfort-ky.gov

3.4 FIRST READING: The property identified by the parcel map number of #050-00-00-019.00 & #063-00-00-033.01, is hereby rezoned from AG (Agriculture) to PC (Planned Commercial Development for 52 acres), RS (Special Residential for 30 acres), and RB (Residential "B" district for the remaining 159 acres).

Purpose: In accordance with the April 27, 2007 Order of the Franklin Circuit Court entered in Civil Action No. 05-CI-01516, to amend the zone map classification as requested by the Plaintiff's application to the City of Frankfort for a zone map amendment by HMN127, LLC; Mrs. John C. Noel Estate: Silas M. Noel, Caroline Noel, and John C. Noel IV; and optionee Gilbert Development, LLC, for 241 acres of the Mrs. John C. Noel Estate and HMN127, LLC property from AG (Agriculture) to PC (Planned Commercial Development for 52 acres), RS (Special Residential for 30 acres), and RB (Residential "B" District for the remaining 159 acres). All contained within the parcel ID #050-00-00-019.00 & #063-00-00-033.01.

Background: On June 14, 2005, the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for this property. The public hearing was closed, and then tabled to the next meeting so that a summary could be provided. On July 14, 2005 the Planning Commission removed the item from the table, approved the summary, approved and adopted the eight (8) findings of fact proposed by the Commission (see attached), and then moved to recommend approval of a zone map amendment as requested based on all eight (8) findings of fact. The motion to recommend approval of the requested zone map amendment passed by a vote of 4-3.

On September 15, 2005 the City Commission held their own public hearing on the request and denied the zone map amendment, and the applicants appeal the denial of the City Commission to the Franklin Circuit Court in Civil Action No. 05-CI-01516I. Thereafter, the parties entered into mediation to attempt to resolve the case.

On April 23, 2007, the City Commission, by a vote of 4 to 1, authorized the Mayor to sign on behalf of the City of Frankfort, the Report of Mediation and Agreement in Principle dated March 30, 2007.

On April 27, 2007, the Franklin Circuit Court entered an Order in Case No. 05-CI-01516 directing the City to prepare an ordinance providing for the amendment of the zone map as requested by the plaintiffs.

Recommendation: Approval

Attachments:

- Ordinance
- Court Order filed April 27, 2007,
- Report and Mediation and Agreement in Principle dated March 30, 2007
- Copy of staff report presented at the September 15, 2005 City Commission Meeting.

Contact Person

Name: Gary Muller
Title: Director of Planning and Building Codes
Department: Planning and Building Codes
Phone: (502) 352-2100
Email: Gmuller@frankfort-ky.gov

- 3.5 First Reading:** An Ordinance amending the budget of The City of Frankfort for the payment of the interest expense on the Bond for the Public Safety Building.

Purpose: The purpose of this item is to consider approval of an ordinance amending the budget to provide for monies for the City of Frankfort to pay the interest expense on the Bond for the Public Safety Building.

Background: After the 2006-2007 Budget for the City of Frankfort was approved by the City Commission, the city issued a \$9,995,000 General Obligation Bond to fund the Public Safety Building. This ordinance would amend the 2006-2007 budget to provide for monies to pay the interest on the bond.

Financial Analysis: This money would be funded out of the Capital Improvements Fund Account No. 100.90.53295.

Recommendation: Approval

Attachments:

- Ordinance
- Bond Payment Schedule

Contact Person

Name: Steve Dawson
Title: Director
Department: Finance
Phone: 502/875-8500
Email: sdawson@frankfort-ky.gov

- 3.6 FIRST READING:** An Ordinance appropriating of the revenue to be received by the City of Frankfort for Fiscal-Year 2007-2008.

Purpose: The purpose of this ordinance is to appropriate revenue to be received and expended by the City of Frankfort for Fiscal-Year 2007-2008 in accordance with the budget submitted and approved by it's adoption.

Recommendation: Approval

Attachment:

- Ordinance

Contact Persons

Name:	Tony Massey	Steve Dawson
Title:	City Manager	Director
Department:	City Manager	Finance
Phone:	502/875-8500	502/875-8505
E-Mail:	amassey@fewpb.com	sdawson@fewbp.com

- 3.7 FIRST READING:** An Ordinance amending Ordinance No. 13, 2006 Series, and Frankfort Code of Ordinances Chapter 37.32 Pay Plan (Salary Ordinance).

Purpose: The purpose of this Ordinance is to amend existing ordinances relating to salary and wages for officers and employees of the City of Frankfort by enacting a three percent (3%) salary increment for full-time regular personnel for Fiscal-Year 2007-2008.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person

Name: Tony Massey
Title: City Manager
Department: City Manager
Phone: 502/875-8500
E-Mail: amassey@frankfort-ky.gov

- 3.8 FIRST READING:** An Ordinance amending Frankfort Code of Ordinances Chapter 38, Ambulance Service, Section 38.30.

Purpose: To consider amending the Ordinance to establish new rates for ambulance services.

Background: As costs for providing ambulance services continues to rise, the current charges need to be increased. The last rate increase was adopted in 2002 and each level of service has been raised by 5% each year since 2002. In order to keep pace with the private insurance rates allowed by Medicare, it is recommended that each level of EMS service be increased by \$400.00.

Financial Analysis: Projected revenues in each of the forthcoming six years result in an increase of \$180,000 - \$200,000 in ambulance service payments.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person

Name: Wallace Possich
Title: Chief
Dept.: Fire
Phone: 502/875-8511
E-Mail: wpossich@frankfort-ky.gov

3.9 FIRST READING: An Ordinance establishing an application fee for the Sewer Capital Recovery Program.

Purpose: To consider an ordinance creating an application review fee of \$150.00 to offset the costs to the Sewer Department for review of the cost recovery application.

Background: On April 23, 2007 the City adopted a cost recovery ordinance as mandated by KRS 96.539. The cost recovery ordinance requires that the Sewer Department undertake a review of the area to be served by the proposed extension. The proposed fee, without specifying the amount, is referenced in the Cost Recovery Ordinance.

Financial Analysis: Approval of this ordinance will generate fees to offset the costs of the Sewer Department for review of cost recovery application.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

3.10 FIRST READING: An Ordinance amending Frankfort Code of Ordinances, Chapter 37, Personnel; City Employees, Section 37.06, Insurance; Deferred Compensation.

Purpose: To consider an ordinance to establish an additional cost for health insurance coverage for City employees and elected officials of \$25 per month.

Background: Employee contributions to the City's health insurance plan have not been increased since 1999. Since that time there have been significant increases in medical costs that the City has paid for under the self-insurance plan. Due to current budget issues facing the City, the Employee Benefits Committee felt it appropriate to recommend an increase to each employee of \$25 per month for both single and family medical insurance coverage. The City's third-party administrator, Wells Fargo, also endorses this proposal.

Financial Analysis: The increase should generate approximately \$100,000 to the health plan to offset the General Fund's contribution for the Fiscal-Year 2007-08 budget.

Attachment:

- Ordinance

Contact Persons:

Name:	John Morrow	Tony Massey
Title:	Director	City Manager
Department:	Personnel	City Manager
Phone:	502/875-8500	502/875-8500
Email:	jmorrow@frankfort-ky.gov	amassey@frankfort-ky.gov

3.11 FIRST READING: An Ordinance related to mandatory responsible beverage server training in the City of Frankfort.

Purpose: To consider the passage of an ordinance requiring individuals serving alcohol within the City of Frankfort to take an alcoholic beverage server training course.

Background: The Franklin County Health Department has requested the City of Frankfort to consider enacting an ordinance requiring mandatory training for individuals serving alcoholic beverages at licensed establishments in the City. The training would help servers to identify underage individuals attempting to purchase alcoholic beverages and individuals that have overindulged. The training would be mandatory.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person

Name:	Rob Moore
Title:	City Solicitor
Department:	
Phone:	502/227-2271
Email:	rmoores@hazelcox.com

4. ORDERS
None

5. RESOLUTIONS
None

6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

6.1 To authorize the purchase of Pursuit Vehicles (Police Department).

Purpose: The purpose of this item is to receive authorization to purchase eleven (11) police pursuit vehicles.

Background: This is an annual purchase that is necessary to maintain the operational integrity of the Department's vehicle fleet. The purchase will be made under State Contract Master Agreement #C-04534210 at the contract price of \$20,092 (this includes preparation and delivery) for a total purchase price of \$221,012. These units are to be purchased from Country Side Motors, Lawrenceburg, KY.

Financial Analysis: Funding is available in the equipment Account No. 100.43.56550 in the amount of \$221,012.

Recommendation: Approval

Attachments:

- Vehicle specs.

Contact Person

Name: Walter M. Wilhoite
Title: Chief
Department: Police
Phone: 502/875-8523
Email: mwilhoite@fewpb.com

- 6.3** To approve a Sewer Extension Contract with Hinton McGraw Berry Hill, LLC Prospect, Kentucky (Sewer Department).

Purpose: To approve a contract with Hinton McGraw Berry Hill, LLC, as owner of Villas at Berry Hill at 1007 Leawood Drive in Frankfort, Kentucky which is zoned residential development of 115 patio homes, with improvements including 26 E-One duplex pump stations (Model 20-14-93); each pump will be accompanied by the following: control panel, disconnect panel and lateral kits; 2600 lineal feet of pipe (1½ inch green CTS P.E.), 550 lineal feet of pipe (1½ inch SDR 21), 3,185 feet of pipe (2 inch SDR 21) and 1,415 feet of pipe (3 inch SDR).

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Scott McGraw, Member, Hinton McGraw, Berry Hill, LLC, 12925 West Highway 42, Prospect, Kentucky 40059 has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval.

Recommendation: Approval

Attachments:

- Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@Frankfort-KY.gov

- 6.4** To approve the renewal of the Interlocal Agreement concerning the operation and maintenance of the four (4) ballfields at Lakeview Park (Parks and Recreation).

Purpose: The purpose of this item is to approve the renewal of the Interlocal Agreement concerning the operation and maintenance of the four (4) ballfields at Lakeview Park.

Background: In February 2002 an agreement was made between the City and the County, for the operation and maintenance of the four ballfields at Lakeview Park. The agreement was automatically

renewed if neither party objected for four additional one-year terms. There is a 30-day cancellation clause for both parties.

Recommendation: Approval.

Attachment:

- Interlocal Agreement

Contact Person

Name: Steve Brooks
Title: Director
Department: Parks & Recreation
Phone: 502/875-8575
E-Mail: sbrooks@frankfort-ky.gov

- 6.5** To Authorize the filing of an application for 2007 Urban and Community Forestry Grant and to authorize the Mayor to sign all grant-related documents (Park and Recreation).

Purpose: Requesting authorization to apply for a grant to enhance the technical skills of the individual who is involved in the planning, development and maintenance of the urban and community Forestry programs by sending the city arborist to an intensive municipal forester training program and to enhance the urban forestry program's technical and educational potential by purchase of software and CDs with extensive woody plant data base and data manipulation capabilities.

Background: This application would allow the city arborist to attend the Municipal Forester Institute (MFI), a 5 day intensive course (with pre-institute study assignments) that focuses on the individual, the individual's specific municipal urban forestry program and on external relations and partnerships of that program. It would allow the purchase of software and CDs on woody plants and Hortiopia Professional XE that has extensive search and manipulation capabilities, and can access 21,000 pictures of more than 8,650 ornamental plants along with complete plant data. This would greatly enhance the City's urban forestry educational and reference capabilities.

Grant Request	\$1,300.00
Local Match	\$1,300.00
Total Project Cost	\$2,600.00

Financial Analysis: City match for the grant would be \$1,300.00, which is available in the Cove Springs (640) account.

Recommendation: Approval

Attachments: None

Contact Persons:

Name:	Andrew Cammack	Rebecca Hall
Title:	City Arborist	Grants Manager
Department:	Parks & Rec.	City Manager
Phone:	502/875-8575	502/875-8500
E-mail:	acammack@fewpb.net	rhall@frankfort-ky.gov

- 6.6** To ratify a Purchase Order issued to Weber Excavating for construction services associated with the repair of a leaking inverted siphon along the bank of Benson Creek. (Sewer Department)

Purpose: The purpose of this item is to ratify a Purchase Order to Weber Excavating to perform emergency repairs associated with a leak in an inverted siphon along the bank of Benson Creek.

Background: See attached memo to City Manager. Since the memo was generated, Weber Excavating has located and repaired the leak. However, the cause of the leak has also been determined. Both pipes of the inverted siphon are not adequately anchored. As part of this work, the Sewer Department is having Weber Excavating install proper anchors to prevent a similar occurrence in the future.

Total cost to the Sewer Department is a not to exceed contract of \$50,000.

Financial Analysis: Funds are available in Account No. 300.68.53250.

Recommendation: Approval

Attachment:

- Memo to City Manager

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

- 6.7** To authorize a Sewer Extension Contract with Shaker Hill Properties, LLC, Frankfort, Kentucky (Sewer Department).

Purpose: To approve a contract with Shaker Hill Properties, LLC, as owner of Shaker Hill Properties, Tracts A and B on Twilight Trail in Frankfort, Kentucky which is zoned industrial development of two tracts, with improvements including 6 new manholes, 1,142 feet of 8-inch SDR 35 pipe, 1,090 feet of SDR 21 force main pipe and 1 Myers Duplex Pump Station rated at 290 gallons per minute.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Tom Bean, Member, Shaker Hill Properties, LLC, 97 C. Michael Davenport Blvd., Frankfort, Kentucky 40601 has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval.

Recommendation: Approval

Attachments:

- Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@Frankfort-KY.gov

- 6.8** To authorize an application for Federal Highway Traffic Safety Grant funds and authorize the Mayor to sign all grant-related documents (Police Department).

Purpose: The purpose of this item is to authorize filing an application for Federal Highway Traffic Safety Grant funding, a part of the Governor's Highway Safety Program.

Background: The mission of this grant is to plan and execute a comprehensive traffic safety program to reduce the number of fatalities and injuries on Kentucky's roadways, utilizing present and potential resources on the local, state and national levels. The Governor's Highway Safety Program coordinates highway safety programs focused on public outreach and education, enforcement, promotion of new safety technology, integration of public health strategies and techniques, advocacy for traffic safety issues, and collaboration with state and local governments. The grant deadline is May 25, 2007, with successful grantees receiving funds beginning the next federal fiscal year, beginning October 1, 2007.

Financial Analysis: The Police Department will be reimbursed for manpower overtime and use of equipment while participating in this program. Total request for 2007 not to exceed \$100,000.00.

Recommendation: Approval

Attachment:

- Project Description and Estimated Budget Request

Contact Person:

Name:	Chief Walter M. Wilhoite	Rebecca A. Hall
Title:	Chief	Grants Manager
Department:	Police	City Manager
Phone:	502/875-8500	502/875-8500
Email:	mwilhoite@frankfort-ky.gov	rhall@frankfort-ky.gov

- 6.9** To consider authorizing the filing of a grant application for 2007 Homeland Security Grant Program under Communications - Mobile Data Computer Project to purchase equipment in order to enable the MDC (Mobile Display Computer) utilize the AVL (Automatic Vehicle Locator) technology for 911-Dispatch Dept., and authorizing the Mayor to sign all grant-related documents.

Purpose: To authorize the filing of an application for grant funds from the Homeland Security Grant Program as administered by the Kentucky Office of Homeland Security.

Background: The Kentucky Office of Homeland Security will be accepting grant applications in four categories until June 15, 2007. Under Mobile Data Computer the city would like to apply for a MDT and PDA Project. The Police and Fire Department thru the EMA would like to apply for a Homeland Security Grant this year to enable the MDC (Mobile Display Computer) utilize the AVL (Automatic Vehicle Locator) technology for 911-Dispatch Dept. AVL is a GPS (Global Positioning Systems) technology that will put the location of a police vehicle in a map so the dispatcher can better manage the dispatching in an emergency. PDA is a portable mobile device that functions as a telephone and a computer, and can be used by an undercover policeman to query vehicle and personal record information from the State Police database or from the Police CAD System.

Financial Analysis: Cost for this project is estimated to be \$50,000.00. Although this grant is 100% federally-funded, it is a reimbursement project and as such the City will be required to pay for equipment and then be reimbursed.

Recommendation: Approval

Attachments: None

Contact Person

Name:	Julsun Pacheco	Tom Columbia	Rebecca Hall
Title:	IT Manager	Lieutenant	Grants Manager
Dept.:	City Manager	Police Dept.	City Manager
Phone:	502/875-8500	502/875-8523	502/875-8500
E-mail:	jpcheco@frankfort-ky.gov	tcolumbia@frankfort-ky.gov	rhall@frankfort-ky.gov

- 6.10** To consider authorizing the filing of a grant application for 2007 Homeland Security Grant Program under Communications Project in order to conduct an Aerial Flyover Project, and authorizing the Mayor to sign all grant-related documents.

Purpose: To authorize the filing of an application for grant funds from the Homeland Security Grant Program as administered by the Kentucky Office of Homeland Security.

Background: The Kentucky Office of Homeland Security will be accepting grant applications in four categories until June 15, 2007. The city would like to apply for Aerial Photography Flyover Project. Public safety officers and dispatchers could better respond to an emergency if they have better information of the building and facilities of the scene. Information that could help them is the availability of oblique aerial photographs to see different views of a building. This proposal will request funding from the Homeland Security Grant Program to pay for the flyover of the city at approximately \$50,000.00. The IT and GIS offices of the city will handle the processing of the data and deployment of the project to be available to any agency that will need the information.

Financial Analysis: Cost for this project is estimated to be \$50,000.00. Although this grant is 100% Federally-funded, it is a reimbursement project and as such the city will be required to pay for equipment and then be reimbursed.

Recommendation: Approval

Attachments: None

Contact Person:

Name:	Julsun Pacheco	Daryl Hensley	Rebecca Hall
Title:	IT Manager	Comm. Director	Grants Manager
Dept.:	City Manager	Dispatch.	City Manager
Phone:	502/875-8500	502/875-8582	502/875-8500
E-mail:	jpcheco@frankfort-ky.gov	dhensley@frankfort-ky.gov	rhall@frankfort-ky.gov

- 6.11** To consider authorizing the filing of a grant application for 2007 Homeland Security Grant Program under Communications - Infrastructure Project that will provide broadband connectivity in order to access the computing facilities at the main 911-dispatch, and authorizing the Mayor to sign all grant-related documents.

Purpose: To authorize the filing of an application for grant funds from the Homeland Security Grant Program as administered by the Kentucky Office of Homeland Security.

Background: The Kentucky Office of Homeland Security will be accepting grant applications in four categories until June 15, 2007. Under Infrastructure Project the city would like to apply for a Wireless Deployment Project. The City's mobile command vehicle is in need of broadband connectivity to be able to access the computing facilities at the main 911-dispatch. In the event of an emergency where the 911 center is not available, the mobile command vehicle should be able to take over the function immediately if the computer servers between the two facilities are synchronized. One way to make it possible is by deploying wireless in the city so the MCV will have real-time access to the servers at the main dispatch center for data synchronization. Almost all city departments will benefit from this wireless deployment.

Financial Analysis: Cost for this project is estimated to be \$100,000.00. Although this grant is 100% Federally-funded, it is a reimbursement project and as such the city will be required to pay for equipment and then be reimbursed.

Recommendation: Approval

Attachments: None

Contact Person

Name:	Julsun Pacheco	Tom Columbia	Rebecca Hall
Title:	IT Manager	Lieutenant	Grants Manager
Dept.:	City Manager	Police Dept.	City Manager
Phone:	502/875-8500	502/875-8523	502/875-8500
E-mail:	jpcheco@frankfort-ky.gov	tcolumbia@frankfort-ky.gov	rhall@frankfort-ky.gov

- 6.12** To approve the proposed Letter of Agreement and Provisionally Accredited Levee (PAL) relating to the FEMA updated FIRM maps for Frankfort/Franklin County, as requested by FEMA, and authorization for the Mayor to execute the letter of agreement (Planning and Public Works Departments).

Purpose: To approve the letter of agreement with FEMA and authorize the Mayor to execute the Letter of Agreement and Provisionally Accredited Levee (PAL) relating to the FEMA updated FIRM maps for Frankfort/Franklin County.

Background: In February 2006, FEMA provided the city and county preliminary copies of their proposed updated FIRM maps. In July of 2006, FEMA and CORPS representatives met with the city and public to go over the proposed revisions. In August 2006, FEMA published the public notice of the proposed changes that initiated a 90 day appeal period. As you may recall there were areas in north Frankfort and Holmes Street area that were appealed by the city and FEMA supported the City's position following a certification letter from the CORPS, concerning the north Frankfort flood protection. On November 27, 2006, the appeal period ended, no public citizen appeals were received by the City.

In January 2007, the City was informed that the 1997 flood wall is required to be re-certified by an engineer or the CORPS. After numerous discussions and meetings with both the CORPS and representatives of FEMA, on March 8, 2007, the City received from FEMA formal notice of their requested Letter of Agreement and Provisional Accredited Levee (PAL).

This agreement and PAL indicates that the south Frankfort properties currently protected by the Flood Wall will be identified on the official new FIRM maps as provisionally protected and that the City has until May 28, 2007 to approve the letter of agreement and has two years from that date to have the south flood wall re-certified. Failure to either execute the letter of agreement and PAL or to have the flood wall re-certified within the 2 year timeframe will cause the properties identified as being protected by the flood wall revert back to unprotected and back within the 100 year flood zone (1 percent chance of flood).

On April 28, 2007 the city received an additional letter from FEMA indicating that the new FIRM maps by FEMA will take effect on September 28, 2007. Furthermore that the city must update its flood ordinances prior to September 28, 2007 in order to remain in good standing with the National Flood Insurance Program.

The anticipated implementation of obtaining the certification for the south flood wall is as follows: 1) request specifics from FEMA on what exactly is required for the certification – it is our understanding that this could be a low cost risk assessment study or a highly technical field analysis and reports; 2) obtain a written quote from the CORPS on providing the specific information outlined by FEMA; 3) accept quote from CORPS or seek Requests of Proposals from private engineering firms to complete this task.

It is important to note that 1) any items found deficient within the certification is likely required to be mitigated or repaired prior to the September 28, 2009 timeframe – and at an additional cost; 2) the Flint Group have been keep updated concerning this and have been looking into the possibilities of grants.

Financial Analysis: It is anticipated that a minimum of \$40,000 will be required from Commission Contingency funds for a simple risk analysis and it is equally likely that the costs will be closer to \$150,000 for the technical analysis and reports that have been discussed by the CORPS. It is also possible that grants could be available prior to the 2-year timeframe.

Recommendation: I recommend that the City Commission approve the recommended letter of agreement and Provisionally Accredited Levee (PAL) from FEMA in order to keep the 1997 flood map amendment valid, which removed the 100-year flood zone from the majority of south Frankfort based on the south flood wall. I also recommend that the Mayor be authorized to execute the PAL and to instruct staff to begin the ordinance amendment process to meet the September 28, 2007 timeframe in order to remain in good standings with the National Flood Insurance Program.

Attachments:

- Letter with letter of agreement and PAL from FEMA received March 5, 2007
- Letter from FEMA received April 2, 2007

Contact Persons:

Name:	Gary Muller	Jeff Hackbart	Tony Massey
Title:	Director	Director	City Manager
Department:	Planning and Building Codes	Public Works	City Manager
Phone:	502/875-8500	502/875-8500	502/875-8500
Email:	guller@frankfort-ky.gov	jhackbart@frankfort-ky.gov	amassey@frankfort-ky.gov

- 6.13** To authorize the Mayor to sign a letter of request to amend 603 KAR 5:077 (Fire Department).

Purpose: To authorize the Mayor to sign a letter to the Kentucky Commissioner of Highways requesting an amendment to 603 KAR 5:077.

Background: The attached letter to Highway Commissioner Marc Williams explains a request to amend the KAR to allow Frankfort fire apparatus to travel down Louisville Hill other than during emergency response. The letter of request is the first step in amending the KAR.

Recommendation: Approval

Attachments:

- Letter to Commissioner Marc D. Williams
- Letter from Commissioner Marc D. Williams
- Letter to Kentucky Transportation Secretary Bill Nighbert
- 603 KAR 5:077

Contact Person

Name:	Wallace Possich
Title:	Chief
Dept.:	Fire
Phone:	502/875-8511
E-Mail:	wpossich@frankfort-ky.gov

- 6.14** To approve a Partial Release of Sewer Easement in favor of Chadwick A. Peach and Len'ee T. W. Peach, his wife (Sewer).

Purpose: To authorize a Partial Release of Easement and a plat releasing a sewer easement in an unnecessary location on the property of Chadwick A. Peach and Len'ee T. W. Peach, his wife.

Background: Chadwick A. Peach and Len'ee T. W. Peach, his wife, contacted the Sewer Department and requested the partial release of the sewer easement on their property. The Sewer Department has determined that the relocation of this easement is proper.

Recommendation: Approval

Attachment:

- Partial Release of Easement

Contact Person

Name:	Bill Scalf	Robert C. Moore
Title:	Director	City Attorney
Department:	Sewer	
Phone:	502/875-2448	502/227-2271
Email:	wscalf@frankfort-ky.gov	rmoore@hazelcox.com

6.15 Personnel Action	Employee	Department	Date	Other
Appointment	James T. Kinder	Sewer	6-5-07	Pump Tech IV
Promotion	Jonathan Lawson	Fire	6-1-07	To Sergeant from Firefighter II
	Michael J. Billings	Fire	6-1-07	To Sergeant from Firefighter III
	Jeffrey A. Brooks	Fire	6-1-07	To Lieutenant from Sergeant
	Kevin Benge	Fire	6-1-07	To Captain from Lieutenant
Retirement	Louis E. McClain	Fire	5-31-07	Captain; authorize payment of all accrued time as of effective date.
	Lloyd T. Russell	Fire	5-31-07	Sergeant; authorize payment of all accrued time as of effective date.
	Thomas H. Columbia	Police	5-31-07	Lieutenant; authorize payment of all accrued time as of effective date.
	Dan Johnson	Sewer	5-31-07	Tech III; authorize payment of all accrued time as of effective date.

Attachments:

- Retirement letter – Louis E. McClain
- Retirement letter – Lloyd T. Russell
- Retirement letter – Thomas H. Columbia
- Retirement letter – Dan Ray Johnson

Contact Person

Name:	John Morrow
Title:	Director
Department:	Human Resources
Phone:	502/875-8500
Email:	jmorrow@frankfort-ky.gov

7. BOARD APPOINTMENTS

7.1 Board of Zoning Adjustments

- Appointment of David E. Jones to complete term of Doug Howard ending 7-1-07.

Attachments:

- Letter of recommendation from Mayor May
- David E. Jones resume

7.2 Code Enforcement Board

- Appointment of George White, Jr. to a three-year term ending 3-22-10
- Jennifer Devine Smith to a three-year term ending 3-22-10

Attachments:

- Letter of recommendation from Mayor May
- George White, Jr. resume (to be provided)
- Letter of recommendation from Mayor May
- Jennifer Devine Smith resume (to be provided)

- 8. OLD BUSINESS
None
- 9. NEW BUSINESS
None
- 10. COMMISSIONER COMMENTS
- 11. ADJOURNMENT